



## MINUTES

### SELECT BOARD

11/24/2020

Present: Select Board Member, Bernard W. Greene, Select Board Member, Nancy S. Heller, Select Board Member, Heather Hamilton, Select Board Member, Raul Fernandez, Select Board Member John VanScoyoc

RECORDED MEETING VIA REMOTE PARTICIPATION 6:00 PM

#### ANNOUNCEMENTS/UPDATES

Select Board to announce recent and/or upcoming Events of Community Interest.

Board member Fernandez: Please support local small businesses this holiday season. Saturday is Small Business Saturday. This year First Night will be held virtually. #lovebrooklinerestaurants to show your support.

Senator Creem found some funds to help local restaurants

The Transportation Board will be holding public hearings on the Gateway East Project; a major project. Check the Town's calendar for meeting dates

#### PUBLIC COMMENT

Steve Krug spoke on the Chestnut Hill Realty development of a 40b project. He urged the board to reduce the construction hours that are currently 7am weekdays and Saturdays. The Townhouses have close setback to the neighbors. Blasting has been ongoing since March, 9 months. This work site has been very disruptive to the neighborhood.

Alisa Jonas TMM#16 supports the previous request to reduce the hours at the construction site to where it was this summer; it has been unrelenting noise for those next to the project. 6 days a week is almost like torture. She requests the construction hours be limited to 8am-5pm.

Zvi Sesling added that the town already has noise pollution bylaws within 400 feet of residents. That may be reviewed.

#### MISCELLANEOUS

Question of approving the meeting minutes from Thursday, November 19.

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On motion it was,

Voted to approve the meeting minutes of November 19, 2020.

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

CALENDAR

#### COMMISSION FOR THE ARTS REQUEST

Question of approving changes, submitted by the Brookline Commission for the Arts, to the designation of the poet laureate program to literary laureate program, and to broaden the scope of the program and diversity of applicants.

Commission Chair, Daniel Gostin reviewed the following memo requesting changing the Poet laureate program to a Literary Laureate program:

Changing Brookline Poet Laureate program to Brookline Literary Laureate program

At a meeting on Wednesday, March 4, 2020, of the Brookline Commission for the Arts, the following motion passed unanimously: "to change the current poet laureate program to literary laureate program, and to accept and present the attached amended guidelines to the Brookline Select Board for review and approval."

The commission would like to broaden the search for exceptional talent in all areas of literary arts, including, but not limited to, poetry, spoken word poetry, fiction, non-fiction, and playwriting, believing this would lead to more diversity amongst applicants and more opportunities for program funding.

Mr. Gostin also spoke on the Commission's challenge to fund the position with the \$1,000 annual stipend.

Commission member Amy Emmert spoke on opportunities to raise the funds.

Zvi Sesling reviewed that Brookline already has the ability to do this. The Brookline Commission for the Arts promotes awareness to the literary arts. He recommended the commission be expanded. If the commission sought out local poets they will come forward. He feels there is no need to change the Poet Laureate program.

Board member VanScoyoc spoke in support of the poet laureate program and asked why can't there be both a literary and poet laureate. He also commended Cambridge's Poet laureate that received the Noble prize.

Board member Heller suggested review of cycling the positions; hopefully the Commission can come up with a proposal to accommodate the different forms.

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Board member Fernandez agreed with the staggered terms; he offered the suggestion of expanding the scope and seeking help to get the word out.

Chair Greene added that the town may not fund the program, but we do give you the credibility of the town, acknowledge and use it. Poetry is an art form that takes people beyond the main stream and opens people's minds. He spoke about the successful presentation provided by Poet Reggie Gibson, a highlight at the MLK Celebration events.

The Commission will redraft their proposal.

#### BOARDS AND COMMISSIONS - INTERVIEWS

The following candidates for appointment/reappointment to Boards and Commissions will appear for interview:

Commission for Diversity, Inclusion, and Community Relations  
Rezaul Haque

Mr. Haque is a technology strategist. He feels that community service is important and a great way to give back and connect with the community while trying to make it better. He would like to offer his perspective as a person of color and an immigrant, eliminate biases and change behavior through the positivity of diversity.

#### COMMISSION FOR WOMEN TERMS REQUEST

Question of approving the request from the Chair of the Commission for Women to change the terms for commissioners from expiring August 31st to terms aligning with the fiscal year July 1 through June 30.

Commission Chair, Rebecca Stone, said it would be helpful to align terms for boards and commissions to the fiscal year. She recommends revising the terms of the Women's Commission. She added that her research of the bylaw does not require the current terms to end August 31<sup>st</sup>.

Town Administrator Kleckner noted that several bylaws note an August 31 deadline, it is consistent. There are no problems if the bylaw does not regulate the terms; we will monitor that. If the terms are set in the bylaw Town meeting would need to change the terms.

On motion it was,

Voted to approve the request from the Chair of the Commission for Women to change the terms for commissioners from expiring August 31st to terms aligning with the fiscal year July 1 through June 30.

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

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#### CARES GRANT TO THE BROOKLINE FOOD PANTRY

Question of authorizing the Town Administrator to enter into a grant agreement with the Brookline Food Pantry for food security in accordance with the federal CARES Funding.

Town Administrator Kleckner reviewed he has designated CARES grant funding to the food pantry in the compromised budget resolution. The grant expires at the end of the calendar year. This transaction will be subject to a grant agreement.

Elizabeth Boen, Director of the Brookline Food pantry gave a brief review of their services.

- Prior to COVID they provided food for 150-175 families per week
- They currently are providing food for over 600 families per week
- Started Brookline Thrives program that provides 500 meals on Friday afternoons to students
- CDBG funds are about to run out. How do we store the food week by week? Spent tens of thousands of dollars on freezers and outdoor setups
- Senior citizens are 30-38% of their clients

Chair Greene added that this entity is properly run and all their certificates are up to date with the state. The money goes to a good cause.

Paul Warren, TMM#1 thanked everyone involved in securing these funds to support the food pantry. He also hopes the Brookline Housing Authority will be supported as well.

On motion it was,

Voted to authorize the Town Administrator to enter into a grant agreement with the Brookline Food Pantry for food security in accordance with the federal CARES Funding.

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

#### CLIMATE ACTION LETTER

Question of signing off on a letter proposed by the Climate Action Committee to the legislature urging that the Commonwealth updates the stretch code to a net zero energy standard.

Board member Heller reviewed that the Climate Action Committee considered this issue last night. The state building code agency has been considering changes to its regulations, and many groups are urging them to update their current regulations.

*The Brookline Select Board Climate Action Committee has voted to urge the Board of building regulations and Standards to update the current Massachusetts Stretch Energy Code to a Net*

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*Zero stretch code, based on the EZ Code 2.0 proposal submitted at the Board's November 10, 2020 virtual public hearing. We recognize the importance of a robust Stretch Energy Code that is consistent state-wide, enabling cities and towns to help achieve the Commonwealth's energy efficiency and climate goals, while make buildings safer, more comfortable, energy-efficient and climate-resilient.*

On motion it was,

Voted that the Select Board supports the recommendation of the Climate Action Committee urging the state to adopt a net zero provision in its building code as explained in the letter.

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

#### PUBLIC MEETING POLICY

Question of adopting a policy requiring the recording of public meetings for the following boards and committees:

- Advisory Council on Public Health
- Commission on Diversity, Inclusion, Community Relations
- Housing Advisory Board
- Transportation Board
- Zoning Board of Appeals

Vice Chair Hamilton reviewed that she and Board member Fernandez have been reviewing boards and commissions that tend to do the work that impacts public policy the most and has a larger viewership with an equity lens. They notified the various Chairs and support staff. She indicated that not everybody is as enthralled of the proposal as she is. This proposal gives the Chairs of these boards and commissions some discretion.

Board member Fernandez added that Commission of Diversity, Inclusion and Community Relations (CDICR) expressed some concern on the records being permanently available, noting that these are volunteer members. The compelling concern is the idea some people might come forward to share a story, but not want their story to be recorded and viewed again and again.

It was acknowledged that members of the public are allowed to record meetings as long as they announce it to the chair at the beginning of the meeting.

Chair Greene added public meetings also allow the right to turn off the video and to rename themselves.

*The following boards will begin to record their full committee meetings and post them on the Town website within one business day:*

*ZBA, HAB, Public Health, CDICR, T Board*

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*The Chair of the Board will inform the members and the public about the recording and will note if there are objections and the reason given. In limited circumstances, the chair may make a motion to stop the recording when a member of the public cites an issue the Chair deems sensitive in nature and requests the recording to be discontinued temporarily. Meeting minutes should still be kept in this instance. If there is an issue requiring anonymity, the Chair will advise the person they have the right to turn off video and rename themselves in order to accommodate.*

*This pilot will last until meetings resume primarily in person. At that me, the Select Board will hold a public hearing to get feedback from the public and Chairs of the committees on the pros and cons of continuing such a policy.*

Bob Lepson, TMM#9 added that there are some concerned commission members, some had some high emotions. Some CDICR members feel that these recording will stifle the ongoing communications and heartfelt feelings and dialog; this can be a deterrent. He is hopeful they can vote as one swoop instead of individuality

Board member VanScoyoc added that there is an opportunity to review the recording prior to posting and to make a decision whether to release the recording. The work on the police task forces embraced some deep discussions and we are all better off for them and the manner in which they were conducted.

Chair Greene would like to see the memo in the form of policy to post on the Town's website.

On motion it was,

Voted to adopt a policy requiring the recording of public meetings for the following boards and committees:

- Advisory Council on Public Health
- Commission on Diversity, Inclusion, Community Relations
- Housing Advisory Board
- Transportation Board
- Zoning Board of Appeals

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

#### WARRANT ARTICLES

Further review and possible reconsideration/vote on the Warrant Articles for the 2020 Special Town Meeting including:

Warrant Article 28 - Fiscal Training

State representative Tommy Vitolo reviewed an amendment he made to Article 28 that

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would exclude Town Meeting members from attending fiscal educational training. The article refers to three different groups, Town Meeting members, Advisory Committee, and a subset of other Boards and Commission members. Town meeting members are directly elected by members of their precinct. There are no other requirements, and they are not obligated to read the combined reports or to even attend town meeting. Fiscal training may not be as important as zoning, climate action, etc. We have no idea what the contents of the training course are. We can encourage Town meeting members to read the combined reports. Let's let the voters chose what's important to them.

Board member VanScoyoc asked what would be left when we take that paragraph out.

Mr. Vitolo responded that the Advisory Committee would still take the course and there would be requirements of other boards and commissions where fiscal policy knowledge would be helpful.

Board member Fernandez added this kind of knowledge can be helpful. I understand why we want people to be educated and those with more progressive views would benefit being more familiar with the budget to help move us in a more progressive direction.

Board member Heller offered language that would incorporate "strongly recommend". She feels it is important for those signing up to town meeting to understand there is some responsibility to understand what the rules are around municipal budgeting. Ms. Heller would like language to indicate that Town Meeting members are welcome too.

Representative Vitolo added if this amendment passes, training will have to be offered to Advisory Committee members and other boards and commissions plus it will be open to the public. That attendance will be recorded.

Board member VanScoyoc added this shall be offered non-compulsory to town meeting members, but has to be offered. Mr. Vitolo is ok with that.

On motion it was,

Voted to reconsider Article 28.

Aye: Bernard Greene, Nancy Heller, Heather Hamilton, Raul Fernandez, John VanScoyoc

It was determined that Representative Vitolo and board members Heller and VanScoyoc will work on language to present at Monday, November 30, 2020 Town Meeting. This will be sent to the Moderator tomorrow for review.

There being no further business, the Chair adjourned the meeting at 8:47 pm.

ATTEST

**FW: Referring WA27 to Planning Department**Melissa Goff <[mgoff@brooklinema.gov](mailto:mgoff@brooklinema.gov)>

Mon 11/30/2020 8:13 AM

**To:** Melvin Kleckner <[mkleckner@brooklinema.gov](mailto:mkleckner@brooklinema.gov)>; Devon Fields <[dfields@brooklinema.gov](mailto:dfields@brooklinema.gov)>**Cc:** Bernard Greene <[bgreene@brooklinema.gov](mailto:bgreene@brooklinema.gov)>

FYI- we'll need to add this referral motion to the agenda.

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**From:** Carla Benka <[rcvben@earthlink.net](mailto:rcvben@earthlink.net)>**Sent:** Sunday, November 29, 2020 11:36 PM**To:** Linda Pehlke <[lindaolsonpehlke@gmail.com](mailto:lindaolsonpehlke@gmail.com)>; carlos <[carlos@caridossa.com](mailto:carlos@caridossa.com)>; wishinsky.neil@gmail.com**Cc:** Carla Benka <[rcvben@earthlink.net](mailto:rcvben@earthlink.net)>; Melissa Goff <[mgoff@brooklinema.gov](mailto:mgoff@brooklinema.gov)>**Subject:** Fwd: Referring WA27 to Planning Department

FYI

Carla

Begin forwarded message:

**From:** "Zoorob, Michael" <[mzoorob@g.harvard.edu](mailto:mzoorob@g.harvard.edu)>**Subject:** Referring WA27 to Planning Department**Date:** November 29, 2020 at 11:31:06 PM EST**To:** Michael Sandman <[msandman1943@gmail.com](mailto:msandman1943@gmail.com)>, Carla Benka <[rcvben@earthlink.net](mailto:rcvben@earthlink.net)>, Steven Kanes <[stevenkanes@gmail.com](mailto:stevenkanes@gmail.com)>

Hi all,

Just FYI, petitioners intend to move referral of WA27 to the Planning Department for revisiting issues related to micro unit dwellings with a revised proposal at the 2021 Annual Town Meeting.

Best, Michael

ARTICLE 28

**AMENDMENT TO THE ADVISORY COMMITTEE MOTION  
OFFERED BY REP. TOMMY VITOLO**

MOVED: To delete the following paragraph from Section 2.1.14, Mandatory Educational Training for Town Meeting Members, of the Advisory Committee motion:

Further, all Town Meeting Members shall attend a fiscal educational training seminar within six months of becoming a Town Meeting Member, and thereafter at least once every three years. Such seminars will address financial information about both the Town and the Public Schools of Brookline, and will be organized at least annually by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties. This Article shall not apply to Town Meeting Members who have fulfilled the training requirements set forth in Article 3.20.

ARTICLE 28**AMENDMENT TO THE ADVISORY COMMITTEE MOTION  
TO BE CONSIDERED BY THE SELECT BOARD ON 11/30**

MOVED: To amend the Advisory Committee motion as follows:

1. Delete the word “MANDATORY” from the title of 2.1.14, so that the following remains:

## SECTION 2.1.14 EDUCATIONAL TRAINING FOR TOWN MEETING MEMBERS

2. Substitute the second paragraph (containing “Further, all Town Meeting Members shall, within one hundred and twenty (120) ... attend a fiscal educational training ...”) with the following text:

Further, twice annually, all Town Meeting Members shall be offered a fiscal educational training seminar addressing financial information about both the Town and the Public Schools of Brookline, organized by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties.

3. Replace the words “Compliance and Non-Compliance” with the word “attendance” in the third paragraph (containing “Within one week ... Town website”) so that the text is:

Within one week of the conclusion of any training session identified in this section, the training session organizer shall transmit in writing the names of all attendees to the Office of the Town Clerk. The Office of the Town Clerk shall then update within four weeks the Public Record of attendance by Town Meeting members, which should be publicly accessible on the Town website.

These sections have been marked up against the AC motion as follows: (additions in **bold and underlined**, deletions ~~**bolded and struck**~~)

SECTION 2.1.14 ~~MANDATORY~~ EDUCATIONAL TRAINING FOR TOWN MEETING MEMBERS

~~Further, all Town Meeting Members shall attend a fiscal educational training seminar within six months of becoming a Town Meeting Member, and thereafter at least once every three years. Such seminars will address financial information about both the Town and the Public Schools of Brookline, and will be organized at least annually by the Chair of the Advisory Committee and supported by Town Staff,~~

~~members of the Advisory Committee, and other knowledgeable parties. This Article shall not apply to Town Meeting Members who have fulfilled the training requirements set forth in Article 3.20.~~

**Further, twice annually, all Town Meeting Members shall be offered a fiscal educational training seminar addressing financial information about both the Town and the Public Schools of Brookline, organized by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties.**

~~Within one week of the conclusion of any training session identified in this section, the training session organizer shall transmit in writing the names of all attendees to the Office of the Town Clerk. The Office of the Town Clerk shall then update within four weeks the Public Record of Compliance and Non-Compliance by Town Meeting members, which should be publicly accessible on the Town website.~~

**Within one week of the conclusion of any training session identified in this section, the training session organizer shall transmit in writing the names of all attendees to the Office of the Town Clerk. The Office of the Town Clerk shall then update within four weeks the Public Record of attendance by Town Meeting members, which should be publicly accessible on the Town website.**

A clean version of the motion is as follows:

MOVED: That the Town he Town will amend its Section 2.1.14 and its Article 2.2 and its Article 3.20 of its General By-Laws to establish a fiscal education requirement for all Town Meeting Members, Advisory Committee Members and other elected officials and individuals appointed to any Board or Commission that has or could reasonably be expected to have input into any matter affecting the financial situation of the Town.

#### **SECTION 2.1.14 EDUCATIONAL TRAINING FOR TOWN MEETING MEMBERS**

All Town Meeting Members shall, within one hundred and twenty (120) days after the effective date of this by-law for Town Meeting Members incumbent on that date, and within one hundred and twenty (120) days after their initial election for Town Meeting Members elected subsequent to that date, complete the on-line Conflict of Interest Law training provided by the State Ethics Commission. In the alternative, Town Meeting Members may attend an educational training seminar hosted by the Office of Town Counsel. This Article shall not apply to Town Meeting Members who have fulfilled the training requirements set forth in Article 3.20. Town Meeting Members shall not be required to receive such training more than once, unless they are otherwise required to do

so as special municipal employees under the provisions of G.L. c. 268A. This by-law provision became effective on May 1, 2016.

Further, twice annually, all Town Meeting Members shall be offered a fiscal educational training seminar addressing financial information about both the Town and the Public Schools of Brookline, organized by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties.

Within one week of the conclusion of any training session identified in this section, the training session organizer shall transmit in writing the names of all attendees to the Office of the Town Clerk. The Office of the Town Clerk shall then update within four weeks the Public Record of attendance by Town Meeting members, which should be publicly accessible on the Town website.

#### **Article 2.2.2 TERMS OF APPOINTMENT**

Members shall hold office from July 1st, in the year of their appointment, for three-year staggered terms and until their successors are appointed. All vacancies shall be filled by the Moderator for the unexpired remainder of the term of the appointee's predecessor. A member of the Committee shall cease to be a member upon the occurrence of any of the following events:

1. Removal of residence from the Town of Brookline.
2. Absence from seven or more duly called and held meetings of the Committee during any year of the member's term, considering each period from July 1 to the following June 30 as a year for this purpose.

A member of the Committee who is a Town Meeting Member shall cease to be a member of the Committee effective the 30th day of June following the occurrence of any of the following events:

1. Removal of residence from the precinct from which [they were] elected a Town Meeting Member.
2. Failure of re-election as a Town Meeting Member.
3. Expiration of term as a Town Meeting Member.

Upon ascertaining that any of events 1-5 has occurred, the Chairman of the Committee shall notify the Secretary of the Committee who shall give written notice to the member in question. A copy of such notice shall be sent promptly to the moderator.

Further, all Advisory Committee Members shall, within one hundred and twenty (120) days after the effective date of this by-law for Advisory Committee Members incumbent on said effective date, and within one hundred and twenty (120) days after their initial appointment he Advisory Committee subsequent to said effective date, attend a fiscal educational training seminar. Such seminars will address financial information about both the Town

and the Public Schools of Brookline, and will be organized at least annually by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties. This Article shall not apply to Advisory Committee members who have fulfilled the training requirements set forth in Article 3.20. Advisory Committee Members shall be required to receive such training at least every three years.

#### **ARTICLE 3.20.2 MANDATORY EDUCATIONAL TRAINING**

All Elected and Appointed Officials shall within one hundred and twenty (120) days before or after their election or appointment to a Committee or Subcommittee, attend an educational training seminar hosted by the Office of Town Counsel which shall include the requirements of the Open Meeting Law and Conflict of Interest Law. In the alternative, members may meet with Town Counsel, or a member of his/her staff, to receive such information and training.

Further, all Elected and Appointed Officials appointed to any Board or Commission that has or could reasonably be expected to have input into any matter affecting the financial situation of the Town shall, within one hundred and twenty (120) days after the effective date of this by-law if incumbent on said effective date, and within one hundred and twenty (120) days after their initial election or appointment subsequent to said effective date, attend a fiscal educational training seminar. Such seminars will address financial information about both the Town and the Public Schools of Brookline, and will be organized at least annually by the Chair of the Advisory Committee and supported by Town Staff, members of the Advisory Committee, and other knowledgeable parties. Elected and Appointed Officials appointed to any Board or Commission that has or could reasonably be expected to have input into any matter affecting the financial situation of the Town shall be required to receive such training at least every three years.

If any portion or provision of these By-Law changes are declared invalid or unenforceable by a court of competent jurisdiction or by the Office of the Attorney General, the remaining provisions shall continue in full force and effect.

ARTICLE 30ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATIONSUMMARY:

Article 30 changes the requirement for the Advisory Committee to make “reports *and* recommendations” to Town Meeting on all articles to a requirement that the Committee make “reports *or* recommendations.” The significance is that the Committee would not be required to make a recommendation on articles that did not have a significant bearing on Town finances or operations, e.g., articles focused on issues such as foreign policy or trade.

The article also requires that the Advisory Committee take roll call votes on matters of substance (but not on procedural matters), and report the roll call results to Town Meeting. Petitioner’s motion would require the reporting of roll call votes in the Combined Reports. The Advisory Committee amendment would require that they be included only in the Committee’s minutes, which are available to the public on the Town’s website.

By a vote of 17-2 with 7 abstentions, the Advisory Committee recommends FAVORABLE ACTION on Article 30, **as amended by the Committee.**

BACKGROUND:Reports or Recommendations

Members of the Advisory Committee have questioned the value to Town Meeting of the Committee’s recommendations with regard to warrant articles that have little impact on Town finances or operations. Examples include articles opining on trade policy, and even articles of local interest, such as the renaming of the Coolidge Corner School.

The current bylaw states that “The Committee shall consider any and all municipal questions, including appropriation requests and proposed action under all articles in the warrant for a Town Meeting, for the purpose of making reports AND recommendations to the Town.” This is in contrast with state law, which uses identical language but for using the words “... reports OR recommendations...” (In each case, emphasis added.)

The proposed change, which would conform the general bylaw to state law, would clarify the charge of the Advisory Committee regarding its consideration of warrant articles. The Advisory Committee would still be required to consider all warrant articles, but it could decide whether to (i) make a recommendation to Town Meeting, or more simply, (ii) report to Town Meeting without making a recommendation.

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Special Town Meeting  
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### Recorded Votes:

Articles in the May 2002 and November 2010 Town Meetings asked that roll call votes from each member of the Advisory Committee be reported along with the Committee's recommendation. The Advisory Committee opposed both Articles, and they failed to gain a majority Town Meeting. Article 30 proposes much the same requirement. It builds on the experience of the Committee during the COVID-19 emergency, when meetings have been conducted via videoconference and roll call votes have been taken in order to conform to the Open Meeting Law requirement that roll call votes be taken when a public body includes members who are participating remotely.

### DISCUSSION:

#### Reports or Recommendations

Although some Advisory Committee members take the position that the Committee should continue to have an obligation to make recommendations on any and all articles, most members prefer to have some flexibility. The workload of the Committee has increased in the last few years, as witnessed by the fact that there were 30 articles on the May 2019 warrant, 34 on the November 2019 warrant and 42 on the November 2020 warrant (including STM2 and the articles deferred from May/June 2020).

Moreover, the report of the Brookline Fiscal Advisory Committee, a committee that was created at the request of the Advisory Committee, recommended that the Advisory Committee focus on issues that have a fiscal or operational impact on the Town. The BFAC report even suggested that there could be a Finance Committee that dealt exclusively with these matters, and that a separate committee could make recommendations on articles dealing with other matters.

State law allows municipalities to have either a finance committee or an advisory committee. Committee members did not look favorably on the idea of splitting the functions, but they did recognize the advantages of being able to make short reports on articles to which the Committee could add little value.

#### Recorded votes

In November 2019, in response to a proposal by the AC Chair (not a warrant article), the Committee voted almost two to one against reporting roll call votes. Since then, sentiment has shifted, likely due in part to the experience of required roll call votes during the meetings and hearings held remotely during the COVID-19 emergency. While no members expressed substantive objections to roll votes in general, many continue to believe that including them in the Advisory Committee's reports in the Combined Reports may encourage some Town Meeting members to focus on how an individual Advisory Committee member voted, rather than on the substance of the report. Further, members asserted that the recommendation of the Committee is more important than the

votes of specific individuals and that including the recorded votes of members (who, unlike the Select Board, are appointed) adds nothing positive to what is often a highly politicized environment. Concern for increasing politicization was emphasized in other comments.

In response, it was noted that what the Committee does is political, because budgets and budget priorities, in particular, are inherently political. Moreover, some members felt that the Advisory Committee needs to be more transparent in an era when popular trust in government has eroded, and that recorded votes would help provide such transparency. The Committee has made several efforts to make its work more accessible, and recorded votes is a further step in that direction.

A consensus was reached, with a majority of members agreeing that Advisory Committee votes on matters of substance, such as recommendations to Town Meeting and on requests for Reserve Fund and Liability Fund transfers should be recorded, that such votes should be made public, and specifically, that they should be included in the Advisory Committee meeting minutes, which are posted on the Town's website.

By a vote of 16-4-8, the Advisory Committee recommends FAVORABLE ACTION on the following motion:

VOTED:

That the Town amend Article 2.2 of the General By-laws, by (i) amending SECTION 2.2.5, and adding a new SECTION 2.2.6, and amending SECTION 2.5.2, as follows (**additions in bold underline**, deletions in strikeout):

#### SECTION 2.2.5 GENERAL DUTIES

The Committee shall consider any and all municipal questions, including appropriation requests and proposed action under all articles in the warrant for a Town Meeting, for the purpose of making reports ~~and or~~ recommendations to the Town. The Committee shall submit a budget at the Annual Town Meeting. It may examine the books and records of any board, committee or officer of the Town so far as permitted by law. The Superintendent of Schools (in the case of school appropriations) and the Town Administrator (in the case of all other appropriations) shall submit their requests for appropriations to the Committee by February 15th or the next town business day if said date falls on a weekend or holiday; or seven days after the Governor submits the annual budget to the General Court, whichever is later.

#### SECTION 2.2.6 RECORDED VOTES

**Whenever the Advisory Committee shall have voted on a recommendation to Town Meeting, or on a transfer of funds, and unless such vote is unanimous, the record of**

**such vote be included in the minutes of the Advisory Committee, in each case showing those members who voted in favor, opposed, or abstained.**

SECTION 2.5.2. Combined Reports (third paragraph)  
No recommended change(s).

On October 27, 2020, the Advisory Committee amended its original recommendation under Article 30 and by a vote of 17-2-7, the Committee voted FAVORABLE ACTION on the following amended version of Section 2.2.5 (deletion in strikeout and **addition in bold and underlined**, as compared to the original recommendation):

Section 2.2.5 GENERAL DUTIES

The Committee shall consider any ~~and~~ or all municipal questions, including appropriation requests and proposed action under all articles in the warrant for a Town Meeting, for the purpose of making reports or recommendations to the Town. The Committee shall submit a budget at the Annual Town Meeting. It may examine the books and records of any board, committee or officer of the Town so far as permitted by law. The Superintendent of Schools (in the case of school appropriations) and the Town Administrator (in the case of all other appropriations) shall submit their requests for appropriations to the Committee by February 15th or the next town business day if said date falls on a weekend or holiday; or seven days after the Governor submits the annual budget to the General Court, whichever is later.

###

ARTICLE 34

ADVISORY COMMITTEE'S SUPPLEMENTAL RECOMMENDATION

Advisory Committee – Article 34 as amended on November 18, 2020  
 Additional language in **boldface** and underlined.

Upon reconsideration of its previous motion under Article 34, by a vote of 12-6-4, the Advisory Committee recommends FAVORABLE ACTION on the following:

VOTED that the Town adopt the following resolution:

WHEREAS Brookline's housing unaffordability negatively impacts low-, middle-, and upper-middle income residents, particularly renters;

WHEREAS Brookline's housing shortage may add to the unaffordable nature of the market;

WHEREAS an estimated 47% of renters in Brookline are cost-burdened (spending more than 30% on housing), and 23% of renters pay more than 50% of income on housing;(37)

WHEREAS the 2016 Housing Production Plan identified 18 strategies to enhance Brookline's housing supply;

WHEREAS The Brookline Fiscal Advisory Committee recommends changes to zoning to promote economic growth and prosperity;

WHEREAS decreasing car trips by increasing access to walkable, transit-oriented communities via more housing can significantly reduce per capita carbon impact for the Boston region, which is a significant town priority as expressed by Town Meeting during November 2019's Special Town Meeting;

WHEREAS building more housing in Brookline may allow new residents to live closer to job centers and decrease the amount of time spent driving and idling in traffic;

WHEREAS Brookline is a generally transit connected community via the Green Line and multiple major bus routes traversing the majority of town, and more housing near transit allows current car commuters to shift to greener transportation methods;

37 According to the United States Department of Housing and Urban Development: "Families who pay more than 30 percent of their income for housing are considered cost burdened." "Affordable Housing." HUD.GOV, [https://www.hud.gov/program\\_offices/comm\\_planning/affordablehousing/](https://www.hud.gov/program_offices/comm_planning/affordablehousing/)

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WHEREAS a study has shown that “anti-density zoning increases black residential segregation in U.S. metropolitan areas by reducing the quantity of affordable housing in white jurisdictions”(38);

WHEREAS Boston area businesses struggle to recruit and retain employees due to high housing costs;

WHEREAS more people living near Brookline business districts could increase local businesses’ customer base;

WHEREAS housing instability and un-affordability have negative impacts on health outcomes; (39)

WHEREAS today’s market rate housing may become more affordable as long as additional housing is being built over time;

WHEREAS the dramatic rise in housing costs have created financial challenges for seniors and other longtime residents. Addressing affordability will help increase the likelihood of seniors aging in place and downsizing within the community;

WHEREAS creating the zoning and regulatory space for new market rate housing may increase the possibility that Brookline's current stock of moderately priced housing may be maintained, preserving the limited naturally occurring affordable housing that does exist in town;

WHEREAS Brookline has a moral and ethical responsibility to contribute its fair share toward the vital goal of housing development;

NOW, THEREFORE, BE IT RESOLVED that Town Meeting urges the Select Board, and any other board or committee that might consider the built environment of Brookline:

6. To engage in a planning process to expand on the specific analyses and recommendation of 2016 Housing Production Plan and determine whether making

38 Rothwell, Jonathan, and Douglas S Massey. “THE EFFECT OF DENSITY ZONING ON RACIAL SEGREGATION IN U.S. URBAN AREAS.” Urban affairs review (Thousand Oaks, Calif.) vol. 44,6 (2009): 779-806. doi:10.1177/1078087409334163

39 University of Wisconsin Population Health Institute. County Health Rankings Key Findings 2019. <https://www.countyhealthrankings.org/reports/2019-county-health-rankings-key-findings-report>

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changes to our Zoning Bylaw to encourage and incentivize additional housing units, including where and at what levels would be beneficial to the Town, after considering the impact costs, including the additional costs in public works, parks and open space, education and other infrastructure, that such additional housing would necessitate, as well as its impact on open space and historic streetscape, **, traffic, carbon emissions, mass transit capacity, reductions in street level commercial space, evictions of commercial and residential tenants, and non-renewals of commercial and residential leases by lessors or developers.**

7. To develop and propose concrete zoning and regulatory changes to implement the strategies arising from and subsequent to the aforementioned planning process, and to the extent that the strategies permit higher density and the building of additional housing units, that there should be a focus on ensuring a mix of housing at different income levels: subsidized low-income housing, workforce housing developed through various means including developer incentives and Inclusionary Zoning (40), and market rate housing.

8. To consider strategies that acknowledge and address racial and economic equity throughout the Town.

9. To support Brookline's Zero Emissions goal by developing zoning strategies that maximize Brookline's public transportation usage and minimize the need for car trips.

10. To consider providing the necessary budget allocation to execute the studies recommended by this Resolution.

40 The Inclusionary Zoning by-law in Brookline currently requires projects with 6 to 15 units to contribute a cash contribution to the Affordable Housing Trust and projects with more than 15 units to allocate 15% of onsite units as affordable.